



George Latimer
County Executive

Department of Law

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VIA CM/ECF

Honorable Philip M. Halpern
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street, Room 1950
New York, NY 10007

Application granted. Plaintiff shall file his opposition to Defendant's 56.1 Statement in accordance with the Court's Individual Practice Rule 4.E. by December 7, 2021.

The summary judgment briefing schedule set forth in the Court's October 25, 2021 Order (Doc. 93) is adjourned to the following dates: Defendant shall file his notice of motion and opening brief by December 17, 2021; Plaintiff shall file his opposition brief by January 17, 2022; Defendant shall file his reply brief by January 31, 2022.

Defendant is directed to serve a copy of this Order on Plaintiff and file proof of service on the docket.

The Clerk of the Court is respectfully directed to terminate the motion sequence pending at Doc. 94.

SO ORDERED.

Philip M. Halpern
United States District Judge

Dated: White Plains, New York
November 23, 2021

Re: Letter Motion for Extension of Time for Plaintiff's Opposition to Defendant's 56.1 Statement and Attendant Dates
Carzoglio v. Abrams, No. 18-cv-4198 (PMH) (S.D.N.Y.)

Your Honor,

On October 25, 2021, this Honorable Court issued a memorandum endorsement ("Memorandum Endorsement") that (i) directed plaintiff Angelo Carzoglio to file his opposition to Defendant's 56.1 Statement by November 12, 2021; (ii) directed the sole remaining defendant, former Westchester County Department of Correction captain Thomas Abrams ("Defendant"), to file his notice of motion and opening brief by today, November 22, 2021; (iii) directed Defendant to serve a copy of the Memorandum Endorsement on Plaintiff; and (iv) directed Defendant to file proof of such service to the docket. (Memorandum Opinion, CM/ECF No. 93.)

This afternoon, while finalizing Defendant's motion papers—and while operating under the impression that Plaintiff had simply failed to oppose Defendant's 56.1 Statement—I realized that I neglected to serve Plaintiff with a copy of the Memorandum Endorsement. I apologize for the oversight. A copy of the Memorandum Endorsement is enclosed with the copy of this letter



that I'm now serving upon Plaintiff, but does not correct the error; Plaintiff's time to oppose has already expired.

Defendant hereby requests an extension of time for Plaintiff to oppose Defendant's 56.1 Statement and a concomitant extension of the court-ordered briefing schedule. Upon receipt through CM/ECF of a Memorandum Endorsement on this application, I will forward a copy to Plaintiff immediately.

Respectfully submitted,

JOHN M. NONNA
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Attorney for Defendant Abrams

By: /s/ Sean T. Carey
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STC/

CC: Angelo A. Carzoglio (*via Regular Mail*)
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